



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

3 Barbara G. Yell (CONS/PE)

Case No. 08CEPR00570

Atty Casey, Thomas F. III

Atty Lind, Ruth P

Probate Status Hearing Re: Proof of Bond Increase

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Increased bond filed 10/16/14	
DOD:			
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
Reviewed by: JF			
Reviewed on: 10/24/14			
Updates:			
Recommendation:			
File 3 – Yell			

(1) First and Final Account and Report of Successor Administrator of Insolvent Estate and (2) Petition for Allowance of Ordinary Commissions and Fees

DOD: 09/13/10		PUBLIC ADMINISTRATOR , successor administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 06/11/14 1. Petitioner states that it is unknown whether the former administrator provided notice to the Director of Health Services (DHS). But that even if notice was not provided, there is no estate from which to pay a claim. However, Probate Code § 9202 requires notice to the DHS if the decedent received health care benefits from the DHS. Therefore, the Court may require proof of service to the DHS. 2. On 10/14/14, the Administrator filed a supplemental Inventory & Appraisal listing an additional asset of the estate that is not accounted for in the First and Final Account, therefore it appears that an amended account will be needed. Need more information and/or Amended First and Final Account. <u>Note to Judge:</u> Examiner retained the Order. Reviewed by: JF Reviewed on: 10/24/14 Updates: Recommendation: File 5 - Martin
		Account period: 08/30/13 – 04/23/14	
Cont. from 061114, 091014		Accounting - \$8,800.00	
Aff.Sub.Wit.		Beginning POH - \$8,800.00	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$923.56 (all cash)	
<input checked="" type="checkbox"/>	Inventory	Administrator (statutory) - \$352.00	
<input checked="" type="checkbox"/>	PTC	Attorney (statutory) - \$352.00	
<input checked="" type="checkbox"/>	Not.Cred.	Costs - \$460.50 (filing fees, certified copies)	
<input checked="" type="checkbox"/>	Notice of Hrg	Creditor's claims:	
<input checked="" type="checkbox"/>	Aff.Mail	RBS Citizen N.A. - \$9,845.58	
	Aff.Pub.	Sierra Mobil Park - \$4,069.54	
	Sp.Ntc.	Petitioner states that after only partial payment of commissions, fees and costs in the amount of \$1,164.50, there will be no funds available for payment of creditor's claims or any estate to distribute.	
	Pers.Serv.		
	Conf. Screen		
	Letters	05/19/11	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202	x	
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

		<p>The FRESNO COUNTY PUBLIC GUARDIAN was appointed as Conservator of the Person and Estate on 8-1-13.</p> <p>On 9-9-14, the court set this status hearing regarding visitation with the conservatee's son, ALVIN LEE WILLIAMS in response to the Court Investigator's Annual Review Report filed 9-3-14.</p> <p>Notice of Status Hearing was sent to all parties, including the Public Guardian, County Counsel, Conservatee Atha Williams, and her sons Alvin Williams and Deran Williams, on 10-29-14.</p> <p>Court Investigator Jennifer Young filed an Annual Review Report on 9-3-14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 10-24-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 – Williams</p>	

		TEMP EXPIRES 10-29-14	NEEDS/PROBLEMS/COMMENTS:
		RUBEN MACEDO and ERLINDA MACEDO , maternal grandparents, are Petitioners.	<p><u>Note:</u> This petition was filed on 11-7-13. At Court Trial on 3-20-14, the parties entered into a temporary agreement as set forth by Ms. Hopper and the temporary guardianship was extended to 9-22-14.</p> <p><u>Minute Order 9-22-14:</u> Ms. Hopper informs the Court that the mother has passed and she needs to amend the petition. Matter continued to 10-29-14. Temporary guardianship extended to 10-29-14.</p> <p><u>Note:</u> Nothing further has been filed.</p>
Cont. from 092214		Father: JOHNNY JARAMILLO	
Aff.Sub.Wit.		– Personally served 12/06/13	
Verified		– Objection Filed 01/10/14	
Inventory			
PTC		Mother: CYNTHIA MACEDO	
Not.Cred.		– Consent & Waiver of Notice filed 11/07/13	
Notice of Hrg		Paternal grandfather: DECEASED	
Aff.Mail		Paternal grandmother: DORA JARAMILLO	
Aff.Pub.		– Notice dispensed 12/12/13	
Sp.Ntc.		Minors: Lauren Jaramillo and Jenelle Jaramillo	
Pers.Serv.		– consent and waive notice	
Conf. Screen		Sibling: Johnny Jaramillo	
Letters		– Served by mail 11/22/2013	
Duties/Supp		Petitioner alleges that the mother is terminally ill and is currently in hospice care. It is not anticipated that she will live much longer. The mother has nominated Petitioners to be guardians. The children have not visited with their father for approximately 3 years. The mother has custody of the children. Petitioners allege that the father is abusive and has a history of domestic violence in his relationships. Further, Petitioners allege that the last time the girls visited their father, he woke Lauren up and spanked her with a belt in Jenelle's presence. Petitioners state that the girls are afraid of their father and have not visited with him since that incident. Petitioners state guardianship is necessary because they are fearful that the father will try to take custody of the children when he learns of the mother's illness or passing. The girls do not want to have contact with their father.	
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: skc

Reviewed on: 10-24-14

Updates:

Recommendation:

File 8 - Jaramillo

Objections to Petition for Appointment of Guardian filed by John Jaramillo, Father, on 01/10/2014 state that he objects to the petition for guardianship as he is a fit and proper parent and there is no reason that custody should be with the grandparents. Mr. Jaramillo states that the maternal grandparent's hostility towards the father has made having a relationship with the children difficult. He states that he has been intentionally denied the right to visit with the children and to have them in his care on a regular basis and it is not deserved or warranted. Mr. Jaramillo states that he loves his children and can provide a loving and stable home for them.

Mr. Jaramillo states that the allegations of him spanking Lauren are false and misleading. He states that he did so when she chose her punishment but was not abusive in any way.

Mr. Jaramillo states it is not in the best interest of the children to allow the petitioner to continue to alienate him from his children and deny him his parental rights. He states he understands that the children are resistant because they have been coached, prodded, and rewarded to support their mother and grandparent's wishes. It is for these reasons that Mr. Jaramillo asks the Court to deny the petition for appointment of guardianship, or in the alternative, order that he have ongoing regular visitation with the children pending a psychological evaluation, counseling for both the children and father, and a further hearing in this matter.

Court Investigator Jennifer Daniel filed a report on 01/06/2014.

DOD: 11-24-11		LEO KERMOYAN , Administrator with Will Annexed, with Limited IAEA and bond of \$23,000.00, is Petitioner. Petitioner states that on his appointment, in order to reduce the amount of bond required, he requested that only limited authority be issued to him. At this time, Petitioner would like to be empowered to administer the decedent's estate with full authority under the IAEA, and requests that bond be increased accordingly. Petitioner states the estate consists of real property valued at \$450,000.00 with probably annual income of \$29,000.00. There is no personal property or other income. Therefore, Petitioner requests to increase the bond to \$479,000.00. Petitioner believes it is in the best interest of the estate and those interested in it that he be empowered to administer the estate with full authority under the IAEA, with bond of \$479,000.00.	NEEDS/PROBLEMS/COMMENTS: Note: If granted, the Court will set a status hearing for the filing of the increased bond as follows: <ul style="list-style-type: none"> Wednesday, 12-10-14, at 9:00 am in Dept. 303 If the increased bond is on file, the status hearing may be taken off calendar.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: skc Reviewed on: 10-24-14 Updates: Recommendation: File 9 – Kermoyan	

(1) First and Final Account and Report of Executor and (2) Petition for Settlement, Allowance of Commissions and Fees, and (3) Final Distribution

DOD: 2-26-14			FLOYD GREEN , Executor with Full IAEA without bond, is Petitioner. Account period: 2-26-14 through 9-15-14 Accounting: \$86,141.74 Beginning POH: \$84,609.21 Ending POH: \$69,480.44 (cash) Executor (Statutory): \$3,440.00 Attorney (Statutory): \$3,440.00 Distribution pursuant to Decedent's will and agreement among heirs re vehicles: Floyd Green, as Administrator of the Estate of Nancy Wood: \$33,200.00 Floyd Green: \$11,066.74 Diana Green: \$8,766.74 cash plus the 2001 Chrysler PT Cruiser Carrie Huggins: \$9,566.74 plus the 1994 Suzuki dirt bike	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters	3-4-14		
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
			Reviewed by: skc Reviewed on: 10-24-14 Updates: Recommendation: SUBMITTED File 10 – Bunney	

Petition for Attorney Fees

			<p>RUTH P. LIND, Court-appointed attorney for Conservatee Midge Miyoko Matsumura, is Petitioner.</p> <p>Johannes F. Schoemaker was appointed as Conservator of the Person, and Johannes F. Shoemaker and Catharina M. Vandepavert together were appointed as co-conservators of the estate, on 8-18-14.</p> <p>Petitioner requests fees in connection with the representation of the Conservatee for the conservatorship petition.</p> <p>Petitioner asks that she be paid from the conservatorship estate for 4.95 hours @ \$250/hr as itemized plus the \$435.00 filing fee for this petition for a total of \$1,672.50.</p> <p>Itemized services include conference with the Conservatee, review of documents, court appearance, drafting this petition.</p>	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 10-24-14	
			Updates:	
			Recommendation:	
			File 11 – Matsumura	

DOD: 4-28-89		SPECIAL ADMINISTRATION EXPIRES 10-29-14		NEEDS/PROBLEMS/COMMENTS:	
Aff.Sub.Wit.					
Verified					
Inventory					
PTC					
Not.Cred.					
Notice of Hrg					
Aff.Mail					
Aff.Pub.					
Sp.Ntc.					
Pers.Serv.					
Conf. Screen					
Letters					
Duties/Supp					
Objections					
Video Receipt					
CI Report					
9202					
Order					
Aff. Posting					
Status Rpt					
UCCJEA					
Citation					
FTB Notice					

FREMONT GRAVES, Son-in-law, was appointed as Special Administrator on 8-27-14 with authorization to obtain a settlement check from the Black Farmers' Discrimination Litigation Claims Administrator and deposit same into a blocked account.

At the hearing on 8-27-14, the Court set this status hearing.

As of 10-24-14, nothing further has been filed.

1. Need Duties and Liabilities of Personal Representative and Confidential Supplement DE-147 and DE-147S.

2. Need verified written status report pursuant to Local Rule 7.5. Were the settlement funds obtained and placed into a blocked account pursuant to the Minute Order of 8-27-14?

3. Need Receipt for Blocked Account (MC-356).
Note: It does not appear that an Order to Deposit Money Into Blocked Account (MC-355) was ever submitted to the Court for signature.

4. The original petition for appointment as special administrator to obtain the settlement check indicated that he intended to remit a portion to the IRS. However, the Special Administrator does not have authority to disburse estate funds; only to obtain them and place them into a blocked account.

Does the Special Administrator intend to file a petition to probate the decedent's estate? If not, what is the anticipated course of action for these funds?

5. The Court may require accounting pursuant to Probate Code §8546.

Reviewed by: skc

Reviewed on: 10-24-14

Updates:

Recommendation:

File 13 – Logan

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 5-10-10		ANTHONY CALDERON, MICHAEL CALDERON, DANIEL CALDERON, JR., YVONNE CALDERON, MELSSA CALDERON, and ANGELA CALDERON , adult children of the decedent, are Petitioners. 40 days since DOD No other proceedings I&A: \$145,000.00 (real property in Kerman) Decedent died intestate Petitioners request Court determination that the decedent's real property passes to them in 1/6 undivided interests each.	NEEDS/PROBLEMS/COMMENTS: 1. Need date of death of deceased spouse pursuant to Local Rule 7.1.1.D. 2. Attachment 11 does not state the decedent's interest in the real property. 3. The I&A attached is an outdated form that is not a Judicial Council form. Need corrected I&A using the current Judicial Council Form DE-160 pursuant to Cal. Rules of Court Rule 1.37 and Probate Code §13152(b). The Judicial Council Form DE-160 contains mandatory language, including verification that the inventory contains all of the assets of the estate, pursuant to the value requirement of Probate Code §13151.	
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			X
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
✓	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: skc Reviewed on: 10-24-14 Updates: Recommendation: File 18 – Calderon				

		TEMP EXPIRES 10-29-14	NEEDS/PROBLEMS/COMMENTS:
		LILIA SANTIESTEBAN , Maternal Grandmother, is Petitioner.	<u>Continued from 10-1-14.</u> <u>If this petition goes forward, the following issues remain:</u>
Cont. from 100114		Father (Lilia): CARLOS CHRISTOPHER CAPUCHIN	1. Need Notice of Hearing.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Father: (Micah and McKenzie): MICHAEL JASON WYATT - appeared at temp hearing 10-1-14	2. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice on: - Carlos Christopher Capuchin (Lilia's Father) - Michael Jason Wyatt (Micah and McKenzie's father)
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/> Mother: LIZBETTE DE JESUS VALENZUELA - appeared at temp hearing 10-1-14	
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Paternal Grandfather (Lilia): Freddy Capuchin	
<input type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/> Paternal Grandmother (Lilia): Lizbette De Jesus Valenzuela	3. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Freddy Capuchin - Lizbette De Jesus Valenzuela - Ernie Wyatt - Sharon Wyatt - Enrique Valenzuela
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	Paternal Grandfather (Micah and McKenzie): Ernie Wyatt	
<input type="checkbox"/>	Duties/Supp	Paternal Grandmother (Micah and McKenzie): Sharon Wyatt	
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt	Maternal Grandfather: Enrique Valenzuela	
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	Clearances	Petitioner states the parents are not able to care for the children properly. The mother is abusing drugs. Lilia's father is incarcerated.	Reviewed by: skc
<input checked="" type="checkbox"/>	Order		Reviewed on: 10-24-14
<input type="checkbox"/>	Aff. Posting		Updates:
<input type="checkbox"/>	Status Rpt		Recommendation:
<input checked="" type="checkbox"/>	UCCJEA	Court Investigator Jennifer Daniel filed a report on 10-20-14.	File 23 - Wyatt
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		